

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-against-	:	13 Crim. 31-2 (LGS)
	:	
BONIFACIO FLORES-MENDEZ,	:	<u>ORDER</u>
Defendant.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on October 31, 2022, Defendant's motion for sentence reduction was granted in part, to the extent of reducing his sentence from life to 360 months imprisonment.

WHEREAS, also on October 31, 2022, a resentencing hearing was scheduled for January 31, 2023, at 11:00 A.M.

WHEREAS, on December 13, 2023, Defendant filed a letter motion seeking a further sentence reduction, based on Defendant's purportedly deteriorating medical condition.

WHEREAS, on January 10, 2023, the Government filed a response, including a declaration by Philip W. Boch, a health services professional employed at the facility where Defendant is housed, USP Hazelton, attesting to Defendant's medical condition and the availability of care at the facility.

WHEREAS, Defendant's letter motion raises concerns about whether Defendant's medical conditions are adequately controlled by the level of care available at USP Hazelton.

WHEREAS, the Government's response, the Boch Declaration and the exhibits thereto demonstrate that an appropriate level of care for Defendant's conditions is available at USP Hazelton, and that Defendant has been provided with such care.

WHEREAS, for substantially the reasons stated in the Government's response and supported by the Boch Declaration, any recent change in Defendant's medical condition does not

represent an extraordinary and compelling reason for a further sentence reduction beyond that granted by the October 31, 2022, Order. It is hereby

ORDERED that Defendant's letter motion for a further sentence reduction is DENIED.

It is further

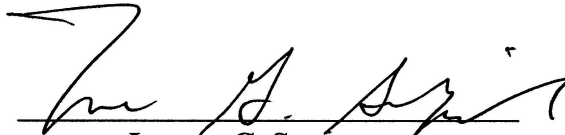
ORDERED that the resentencing hearing scheduled for January 31, 2023, is adjourned to **February 7, 2023, at 11:00 A.M.** It is further

ORDERED that, by **January 18, 2023**, Defendant shall file a letter if he wishes to attend that hearing in person, and otherwise he may attend the hearing virtually as previously discussed.

It is further

ORDERED that, by **February 6, 2023**, the Government shall file under seal Defendant's updated medical records since the latest set of medical records that were submitted to the Court.

Dated: January 11, 2023
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE